IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.3350 of 2008
BHOLA YADAV
Versus
THE STATE OF BIHAR
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5 29/07/2008 Heard learned counsel for the petitioner and learned counsel representing the State.

The informant's father was shot at by two persons who are named as his assailants. They are Dewesh Kumar Singh @ Dhandhan Singh and Kamlesh Singh. Co-accused Jitendra Singh is alleged to have caught hold of the father of the informant and in that position firing was resorted by Dewesh Singh and Kamlesh Singh. The case was registered under section 307 of the Indian Penal Code but after death section 302 IPC was added.

Submission is that two persons are named as accused and the petitioner is not named in the FIR. The assailants are Dewesh Singh and Kamlesh Singh. The petitioner has not been put on test identification parade.

Considering the facts and circumstances of the case, the petitioner Bhola Yadav is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge, F.T.C. IVth, Aurangabad in S. T. No. 43 of 2007/489 of 2007 arising out of Aurangabad (Muffasil) P.S. Case No. 1 of 2007.

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avin. **(Shyam Kishore Sharma, J.)**